

Report to Kittery Town Council from the Wood Island Advisory Committee (WIAC) and request for endorsement of a plan to comply National Park Service (NPS) guidelines for returning the Wood Island to public use and meeting town obligations under the deed for the island

- Executive Summary

The Kittery Town Council appointed Wood Island Advisory Committee seeks endorsement of a Wood Island action plan, which would comply with what is outlined in the NPS July 21, 2011, letter to Kittery Town Manager Jon Carter. NPS with the own that the Wood Island lifesaving station is a danger to the public because of the presence of hazardous material and structural instability. The building condition limits use of the island for public recreation. This use was specified in the 1975 deed of transmittal from NPS to the town. In 2009, WIAC commissioned a study on lifesaving station building condition and the projected on the costs associated with three options: building restoration, replacement or removal. With town council support, the WIAC judged building removal with future replacement or commemoration in some other way as the most prudent course of action. Subsequent to that decision, WIAC held two public workshops, which resulted in two alternatives to razing the structure: 1. formation of a public entity to carry out restoration and maintenance and 2. abrogation of deed and sale of the island. The group proposing the former has yet to provide WIAC with a proposal specifying how it would raise funds for restoration and maintenance. The latter proposal raises the issue of loss of public access and uses potentially inconsistent with the surroundings, including Fort Foster.

The WIAC now seeks town council endorsement for one last call for proposals for restoration and maintenance through a formal Request for Proposals (RFP) process. It also asks that in the absence of a credible proposal from a viable non-profit, the council endorse moving ahead with removal of the structure. It finally seeks town council agreement that abrogation and sale is not in the best interest of the public nor Kittery.

- Statement of Need

Council endorsement of a plan to meet NPS end of the year deadline (see July 21, 2011 letter from NPS to Kittery Town Manager Jon Carter) for such plan, specifying steps to restore of Wood Island for public use.

- Background

The deed for Wood island requires the town to report annually to the NPS on the condition of the Wood Island and how it is maintained for public recreation. For many years, the town neglected to provide those reports. At one point, a citizen group attempted to obtain funding for island lifesaving station restoration and use as a museum; however, they proved unable to procure sufficient funding. The town council formed WIAC in 2008 to develop recommendations on the future of Wood Island and to move the town back into

compliance with deed restrictions. With NPS knowledge, WIAC commissioned a study of the possible costs of lifesaving station restoration and removal. Since then, WIAC has been in regular contact with NPS and last winter asked them to visit the island to give guidance to the town on returning the island to recreational use. That visit occurred in June.

- Facts Bearing on the Equation

See July 21, 2011 NPS letter to Kittery Town Manager Jon Carter and 2009 UNH/Appledore Engineering Wood Island Feasibility Study.

- Current Situation

Wood Island currently provides a hazard to anyone, using the island for recreation. While the town has posted the island and the lifesaving structure, signs are regularly removed. Surveillance of the island is beyond the town capabilities. To comply with the deed, the town needs to restore the island for public recreation.

- Proposed Solution / Recommendation

Publish a Request for Proposals, asking applicants to include plans for preservation; use; financial management; hazardous material disposal; restoration, if any; longer term use and maintenance; and evidence of non-profit status. Evidence of non-profit status should, include corporate by-laws, corporate officers, description of succession plan, and number of existing members. Finally, a successful RFP should, also, include proof of insurance to cover the proposer and visiting public. The RFP would have a November 1, 2011, deadline.

With town council agreement, WIAC would review RFPs and make a recommendation to the council. If the WIAC received an RFP meeting the criteria above, it would recommend to the town council, through the town manager, to negotiate a concession agreement similar to that NPS provided the town manager. If no proposals were received or if none met the criteria outlined above, the WIAC would recommend the council take action to raze the building with longer term option of constructing a memorial at the site. That memorial could include a replica of the lifesaving station.

- Rationale for the Proposed Solution (including costs)

Need to comply with NPS guidelines to protect the public using Wood Island for recreation. Cost for removal was projected at an estimated \$300,000. The town manager has explored the option of funding for waste remediation. If the structure were removed, remediation would involve dismantling and then capping.